



02-04-02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of) Examiner: not assigned
J. Gregor Sutcliffe et al.) Group Art Unit: not assigned

For: **CORTISTATIN: NEUROPEPTIDES,
COMPOSITIONS AND METHODS**)

Serial No.: not assigned)

Filed: January 30, 2002)

Atty. Docket No.: 22908-0002 C1)

) **REQUEST FOR FILING A
CONTINUATION APPLICATION
UNDER 37 CFR §1.53(b)**



Express Mail Label No.: EF 271 804 219 US

Mailed in Palo Alto, CA on: January 30, 2002

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 08/857,389, filed May 15, 1997, which is a continuation-in-part of application Serial No. 08/648,322, filed May 15, 1996 of J. Gregor Sutcliffe, Luis De Lecea, Steven J. Henriksen, and George R. Siggins, for **CORTISTATIN: NEUROPEPTIDES, COMPOSITIONS AND METHODS**, which is incorporated herein in its entirety.

1. Enclosed is a true copy of the prior complete application as filed, including the specification (including claims), drawings, oath or declaration showing the signature or an indication it was signed, and any amendments referred to in the oath or declaration filed to complete the prior application.
2. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above. With respect to the prior copending U.S.

application from which this application claims benefit under 35 U.S.C. § 120, the inventor(s) in this application is (are):

the same as those named in the prior application.

less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:

3. The filing fees are to be calculated on the claims as filed in the prior application and the claims remaining as a result of the:

amendment below;

attached Preliminary Amendment.

Description	Fee Code	Claims	Extra	Rate	Fee
Basic Filing Fee	101				\$ 740
Independent Claims	102	0 - 3=	0 x	\$84=	\$ 00
Total Claims	103	0 -20=	0 x	\$18=	\$ 00

Total Filing Fee \$740

4. Payment of Filing Fees:

A check in the amount of \$740 is enclosed herewith.

The Commissioner is authorized to charge any additional fees or to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 and §1.17, to Deposit Account No. 08-1641, referencing Docket No. 22908-0002 C1. **A duplicate copy of this paper is attached.**

5. Please amend the specification by inserting before the first line, -- This is a continuation of pending prior application Serial No. 08/857,389, filed May 15, 1997. Application Serial No. 08/857,389 is a continuation-in-part of 08/648,322 filed May 15, 1996. The disclosures of the prior applications are incorporated herein in their entirety --.

6. Applicants hereby requests the use of the compliant computer readable Sequence Listing that is already on file for prior copending application Serial No. 08/857,389, filed May 15, 1997. Applicants hereby certify that the paper copy of the Sequence Listing enclosed

herewith is identical to the computer readable copy filed for prior copending application Serial No. 08/857,389, filed May 15, 1997.

7. The power of attorney in the prior application is to: **William Schmonsees**.

The power appears in the original papers in the prior application.

A Power of Attorney and Revocation of Prior Powers is enclosed.

8. **Please address all future correspondence to:**

**William Schmonsees
Heller Ehrman White & McAuliffe LLP
275 Middlefield Road
Menlo Park, CA 94025-3506**

9. Documents enclosed:

Copy of prior complete application as filed (including the signed Declaration and Power of Attorney);

Information Disclosure Statement;

1 Return Receipt Postcard.

Respectfully submitted,

By:



William Schmonsees
Registration No. 31,796

Date: January 30, 2002

Heller Ehrman White & McAuliffe LLP
275 Middlefield Road
Menlo Park, CA 94025-3506
Direct Dial: (650) 324-7041
Facsimile: (650) 324-0638